IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 16293 of 2004

Between:

G. Venkata Narayana S/o. G. Appa Rao
R/o. Quarter No.340, I.M. Colony, KTPS, Paloncha, Khammam District.

..... PETITIONER

AND

1 The District Registrar, Co-Operative Societeis, Khammam.
2 The Election Officer,KTPS Employees Consumer Co- Operative Stores Limited, Paloncha-cum-Sub-Registrar, at the Office of A.P. Cooperative Societeis, Kothagudem, Khammam District.
3 Md.Abdul Majeed S/o. A. Rahman,
R/o. Quarter No.210, B. Colony, KTPS, Paloncha.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue writ or order or direction more particularly one in the nature of writ of mandamus by directing the Respondent No.2 to submit entire election records of KTPS Consumer Cooperative Society Limited, Paloncha, held on 5-9-2004 and declare the Respondent No.2's decision for recounting for the 5th Director/Executive Committee member post in category No.4 as illegal, arbitrary and against the principle of natural justice and consequently direct the respondents to declare the petitioner as 5th Director Executive Member in the 4th category of Executive Member in the KTPS Consumer Cooperative Society Limited.

Counsel for the Petitioner : MR.O.RAMESH

Counsel for the Respondents : GP FOR COOPERATION

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.16293 OF 2004

ORAL ORDER :

In view of the mandatory provisions under Section 61(3) & (4) of the A.P. Co-operative Societies Act, 1964, this writ petition cannot be maintained.

Accordingly, the Writ Petition is disposed of granting leave and liberty to the petitioner to work out the appropriate remedy as available under the Act. No costs.

10th September, 2004.

Gbs

To

1 The District Registrar, Co-Operative Societeis, Khammam.
2 The Election Officer,KTPS Employees Consumer Co- Operative Stores Limited, Paloncha-cum-Sub-Registrar, at the Office of A.P. Cooperative Societeis, Kothagudem, Khammam District.
3 Md.Abdul Majeed S/o. A. Rahman,
R/o. Quarter No.210, B. Colony, KTPS, Paloncha.

4. 2CCs to G.P. for Co-operation, High Court of A.P. Bldgs, Hyderabad.(OUT)

5. 2CD copies